

**ADDENDUM NO. 1
INVITATION TO BID- 05ITB43779YC
SEWER INSPECTION & CLEANING**

May 19, 2005

Dear Vendors:

This addendum is in reference to the INVITATION TO BID, 05ITB43779YC
Sewer Inspection & Cleaning

1. The contractor will be issued maps for complete sub-basins showing the configuration of the sanitary sewer system with manholes identified by a specific ID number. The pipe footage within each sub-basin varies, usually between 20,000 feet and 120,000 feet. Initially, the contractor can expect to be issued sub-basins with total pipe footage on the order of 200,000 feet. If the contractor encounters a manhole which is not mapped, then the location of the manhole will be marked on the map and given a manhole ID number in accordance with nomenclature agreed with the County. The marked up maps shall be turned back over to the County.
2. The work will be released to facilitate the inspection and cleaning of approximately 2 million feet of pipe in a 12 month period.
3. There will be no down time between work releases.
4. The Contractor is responsible for identifying a suitable dump site for the disposal of debris.
5. The contractor will be responsible for any fees associated with the disposal of debris.
6. The County will remove equipment lodged in the sewer system as a result of defects in the sewer system, as long as the contractor is not negligent and takes reasonable precautions. Fulton County shall be sole judge of negligence.
7. The contractor is responsible for obtaining water meters and making any payments to the provider for water used.
8. The contractor will be required to submit digital photos appropriately identified for manhole inspections.
9. The manhole inspection form will be provided as an addendum and the data must be submitted in the form of an access data base or approved equivalent.

10. The County will consider camera equipment which meets the specifications outlined in Section 02705, Item 1.07.
11. The County will not be required to locate and expose all manholes prior to the contractor beginning work. In fact, one of the objectives of the project is to identify and locate buried infrastructure. The Contractor will be required to locate buried manholes by CCTV and mark those locations in the field. The County will then arrange for the buried manholes to be raised.
12. Access to infrastructure shall be via public right of ways and easements maintained by the County. With respect to CCTV work, the contractor shall be required to utilize equipment that satisfies the specifications outlined in Sections 02705, Item 1.07. The cleaning equipment shall meet the specifications outlined in Section 02706, Item 3.01 A.
13. Missing words: The sentence should read "If the accuracy check fails, the Contractor shall repeat the full quality control check on either side of the inspection which has failed." Section 02705, Page 154, Item 6.
14. The quality assurance and control program will be finalized with the selected contractor prior to commencement of the contract.
15. Flexi-data is referred to in Section 02705 Item 1.13 C.
16. The County presently owns a license for Flexidata and all of the County's sewer inspection data has been collected and stored in Flexidata format. The contractor is required to present the data in a format which can be viewed and analyzed using Flexidata without the need for the County to utilize any conversion or other software.
17. The process for issuing field instructions for the approval of cleaning will be finalized with the selected contractor prior to commencement of the works.
18. Of approximately 1.9 million feet inspected, approximately 6.3 % required normal cleaning and 3.7 % required heavy cleaning.
19. The contractor will be required to log all defects and take photographs of defects in manholes. Any defects requiring immediate attention shall be reported to the County immediately. The contractor will not be required to remove corroded rungs and intruding laterals.
20. The contractor is required to inspect the pipeline in order to assess its condition. It is difficult to understand how the condition of the pipe can be adequately assessed by simply inspecting the manhole.
21. This contract will be for one year with four (4) twelve month renewal options.

22. "Manhole inspections are listed as either manual or camera inspections, items 4.1 and 4.2 Sonar is to be used as required to carry out inspections."

23. Based on our review of the previous contract and the amount actually cleaned, we would like to change the quantity on item 2.2 from 825,000 feet to 300,000 feet to more accurately reflect our anticipated needs.

Item #	Description	Unit	Estimated Quantities	Unit Price	Total Price
2.1	Clean (normal) per the specifications 6" sewers	Linear Foot	5,000	\$	\$
2.2	Clean (normal) per the specifications 8" sewers	Linear Foot	300,000	\$	\$
2.3	Clean (normal) per the specifications 10" sewers	Linear Foot	5,000	\$	\$
2.4	Clean (normal) per the specifications 12" sewers	Linear Foot	5,000	\$	\$
2.5	Clean (normal) per the specifications 15" sewers	Linear Foot	3,000	\$	\$
2.6	Clean (normal) per the specifications 18" sewers	Linear Foot	3,000	\$	\$
2.7	Clean (normal) per the specifications 21" sewers	Linear Foot	2,000	\$	\$
2.8	Clean (normal) per the specifications 24" sewers	Linear Foot	2,000	\$	\$
2.9	Clean (normal) per the specifications 30" sewers	Linear Foot	2,000	\$	\$
2.10	Clean (normal) per the specifications 36" sewers	Linear Foot	4,000	\$	\$
2.11	Clean (normal) per the specifications 42" sewers	Linear Foot	4,000	\$	\$
2.12	Clean (normal) per the specifications 48" sewers	Linear Foot	4,000	\$	\$
2.13	Clean (normal) per the specifications 54" sewers	Linear Foot	4,000	\$	\$

24. The following shall replace forms in the original document.

- Non-Collusion Affidavit or Prime Bidder/Offeror
- Non-Collusion Affidavit of Subcontractor
- Certification Regarding Debarment

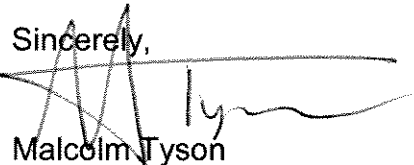
The attached forms must be signed and returned with this addendum:

For additional information regarding this addendum contact Malcolm Tyson, Assistant Purchasing Agent at (404) 730-5811.

The undersigned proposer acknowledges receipt of this addendum by returning (1)

copy with their bid. Failure to return a signed copy of this addendum with your bid could render your bid to be non-responsive.

Except as provided herein, all terms and conditions in the bid referenced above remain unchanged and in full force and effect.

Sincerely,

Malcolm Tyson
Assistant Purchasing Agent

ACKNOWLEDGEMENT OF ADDENDUM

COMPANY NAME: _____ Signature: _____

NAME: _____ TITLE: _____ DATE: _____

STATE OF GEORGIA

COUNTY OF FULTON

NON-COLLUSION AFFIDAVIT OF PRIME BIDDER/OFFEROR

I, _____ certify that pursuant to Fulton County Code Section 2-320 (11), this bid or proposal is made without prior understanding, agreement or connection with any corporation, firm or person submitting a bid for the same work, labor or service to be done or the supplies, materials or equipment to be furnished and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences and civil damages awards. I agree to abide by all conditions of this bid or proposal and certify that I am authorized to sign this bid or proposal for the bidder.

Affiant further states that pursuant to O.C.G.A. Section 36-91-21 (d) and (e), _____ has not, by itself or with others, directly or indirectly, prevented or attempted to prevent competition in such bidding or proposals by any means whatsoever. Affiant further states that (s)he has not prevented or endeavored to prevent anyone from making a bid or offer on the project by any means whatever, nor has Affiant caused or induced another to withdraw a bid or offer for the work.

Affiant further states that the said offer of _____ is bona fide, and that no one has gone to any supplier and attempted to get such person or company to furnish the materials to the bidder only, or if furnished to any other bidder, that the material shall be at a higher price.

(COMPANY NAME)

(PRESIDENT/VICE PRESIDENT)

Sworn to and subscribed before me this _____ day of _____, 200__.

(SECRETARY/ASSISTANT SECRETARY)

(Affix corporate seal here, if a corporation)

Notary Public: _____

County: _____

Commission Expires: _____

NOTE:

IF THE OFFEROR IS A PARTNERSHIP, ALL OF THE PARTNERS AND ANY OFFICER, AGENT, OR OTHER PERSON WHO MAY HAVE REPRESENTED OR ACTED FOR THEM IN BIDDING FOR OR PROCURING THE CONTRACT SHALL ALSO MAKE THIS OATH.

IF THE OFFEROR IS A CORPORATION, ALL OFFICERS, AGENTS, OR OTHER PERSONS WHO MAY HAVE ACTED FOR OR REPRESENTED THE CORPORATION IN BIDDING FOR OR PROCURING THE CONTRACT SHALL MAKE THE OATH.

STATE OF GEORGIA

COUNTY OF FULTON

NON-COLLUSION AFFIDAVIT OF SUBCONTRACTOR

I, _____ certify that pursuant to Fulton County Code Section 2-320 (11), this bid or proposal is made without prior understanding, agreement or connection with any corporation, firm or person submitting a bid for the same work, labor or service to be done or the supplies, materials or equipment to be furnished and is in all respects fair and without collusion or fraud. I understand collusive bidding is a violation of state and federal law and can result in fines, prison sentences and civil damages awards. I agree to abide by all conditions of this bid or proposal and certify that I am authorized to sign this bid or proposal for the bidder.

Affiant further states that pursuant to O.C.G.A. Section 36-91-21 (d) and (e), _____ has not, by itself or with others, directly or indirectly, prevented or attempted to prevent competition in such bidding or proposals by any means whatsoever. Affiant further states that (s)he has not prevented or endeavored to prevent anyone from making a bid or offer on the project by any means whatever, nor has Affiant caused or induced another to withdraw a bid or offer for the work.

Affiant further states that the said offer of _____ is bona fide, and that no one has gone to any supplier and attempted to get such person or company to furnish the materials to the bidder only, or if furnished to any other bidder, that the material shall be at a higher price.

(COMPANY NAME)

(PRESIDENT/VICE PRESIDENT)

Sworn to and subscribed before me this _____ day of _____, 200__.

(SECRETARY/ASSISTANT SECRETARY)

(Affix corporate seal here, if a corporation)

Notary Public: _____

County: _____

Commission Expires: _____

NOTE:

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IF THE OFFEROR IS A CORPORATION, ALL OFFICERS, AGENTS, OR OTHER PERSONS WHO MAY HAVE ACTED FOR OR REPRESENTED THE CORPORATION IN BIDDING FOR OR PROCURING THE CONTRACT SHALL MAKE THE OATH.

CERTIFICATION REGARDING DEBARMENT

- (1) The Offeror certifies that neither it or its subcontractors is presently debarred, suspended, proposed for debarment, declared ineligible, or otherwise excluded from doing business with any government agency. Any such exclusion may cause prohibition of your firm from participating in any procurement by the Fulton County Government.
- (2) If the Offeror is unable to certify to any of the statements in this certification, such Offeror or subcontractor shall attach an explanation to this bid or proposal.

INSTRUCTIONS FOR CERTIFICATION

By signing and submitting this certification, the Offeror is providing the certification set out below:

- (1) The certification in this clause is a material representation of fact upon which reliance will be placed. If it is later determined that the prospective vendor knowingly rendered a false certification, the Purchasing Agent may pursue all available remedies, including suspension and/or debarment, for withdrawal of award or termination of a contract.
- (2) The prospective Offeror shall provide immediate written notice to the Purchasing Agent if at anytime the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (3) Offeror shall be under a continuing duty to immediately inform the Purchasing Agent in writing of any changes, if as a result of such changes, the Offeror certification regarding debarment is affected.

DEBARMENT ORDINANCE

The following Section 2-322 of Fulton County Code of Laws establishes the procedure for the debarment of contractors.

(a) *Authority to suspend.*

After reasonable notice to the entity involved and reasonable opportunity for that entity to be heard, the Purchasing Agent, after consultation with user department, the County Manager and the County Attorney shall have the authority to suspend an entity for cause from consideration for award of county contracts. As used in this section, the term entity means any business entity, individual, firm, contractor, subcontractor or business corporation, partnership, limited liability corporation, firm, contractor, subcontractor or business structured; provided, further, that any such entity shall also be subject to suspension under this section if any of its constituents, members, subcontractors at any tier of such entity's and the entity, or any constituent or member, knew or should have known of the commission of the act. The suspension shall be for a period not to exceed three (3) years unless cause is based on a felony conviction for an offense related or associated with fraudulent contracting or misappropriation of funds wherein the suspension shall not exceed seven (7) years.

(b) *Causes for Suspension.* The causes for suspension include:

- (1) Conviction for commission of a criminal offense as an incident to obtain or attempting to obtain a public or private contract or subcontract, or in performance of such contract or subcontract;
- (2) Conviction of state or federal statutes of embezzlement, theft, forgery, bribery,

falsification or destruction of records, receiving stolen property or other offense indicating a lack of business integrity or business honesty which currently, seriously and directly affects responsibility as a county contractor.

- (3) Conviction of state or federal anti-trust statutes arising out of the solicitation and submission of bids and proposals;
- (4) Violation of contract provisions, as set forth below, of a character which is regarded by the Purchasing Agent to be so serious as to justify suspension action:
 - a. Failure to perform in accordance with the specifications within a time limit provided in a county contract;
 - b. A recent record of failure to perform or unsatisfactory performance in accordance with the terms of one or more contracts; provided, that failure to perform or unsatisfactory performance caused by acts beyond the control of the contractor shall not be considered to be a basis for suspension;
 - c. Material representation of the composition of the ownership or workforce or business entity certified to the county as a minority business enterprise; or
 - d. Falsification of any documents.
- (5) For violation of the ethical standards set forth in Fulton County Code Chapter 9, Code of Ethics.
- (6) Knowing misrepresentation to the county, of the use which a majority owned contractor intends to make a minority business enterprise (a business entity at least 51 percent of which is owned and controlled by minority persons, as defined in Fulton County Code Chapter 6, Article B, Minority Business Enterprise Affirmative Action Program and certified as such by the county), as a sub-contractor or a joint venture partner, in performing work under contract with the county.

Failure to fully and truthfully provide the information required, may result in the disqualification of your bid/proposal from consideration or termination of the Contract, once awarded. This document must be completed and included as a part of the bid/proposal package along with other required documents.

[SIGNATURES ON NEXT PAGE]

Under penalty of perjury, I declare that I have examined this certification and all attachments hereto, if applicable, to the best of my knowledge and belief, and all statements contained hereto are true, correct, and complete.

On this _____ day of _____, 2005

(Legal Name of Offeror) (Date)

(Signature of Authorized Representative) (Date)

(Title)